



General Assembly

February Session, 2006

Raised Bill No. 572

LCO No. 2686

* ____SB00572FIN__041106__ *

Referred to Committee on Energy and Technology

Introduced by:
(ET)

AN ACT CONCERNING E-85 INCENTIVES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 4a-59 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2006*):

4 (c) All open market orders or contracts shall be awarded to (1) the
5 lowest responsible qualified bidder, the qualities of the articles to be
6 supplied, their conformity with the specifications, their suitability to
7 the requirements of the state government and the delivery terms being
8 taken into consideration and, at the discretion of the Commissioner of
9 Administrative Services, life-cycle costs and trade-in or resale value of
10 the articles may be considered where it appears to be in the best
11 interest of the state, (2) the highest scoring bidder in a multiple criteria
12 bid, in accordance with the criteria set forth in the bid solicitation for
13 the contract, or (3) the proposer whose proposal is deemed by the
14 awarding authority to be the most advantageous to the state, in
15 accordance with the criteria set forth in the request for proposals,
16 including price and evaluation factors. Notwithstanding any provision
17 of the general statutes to the contrary, each state agency awarding a

18 contract through competitive negotiation shall include price as an
 19 explicit factor in the criteria in the request for proposals and for the
 20 contract award. In considering past performance of a bidder for the
 21 purpose of determining the "lowest responsible qualified bidder" or
 22 the "highest scoring bidder in a multiple criteria bid", the
 23 commissioner shall evaluate the skill, ability and integrity of the
 24 bidder in terms of the bidder's fulfillment of past contract obligations
 25 and the bidder's experience or lack of experience in delivering
 26 supplies, materials, equipment or contractual services of the size or
 27 amount for which bids have been solicited. In determining the lowest
 28 responsible qualified bidder for the purposes of this section, the
 29 commissioner may give a price preference of up to ten per cent for (A)
 30 the purchase of goods made with recycled materials or the purchase of
 31 recyclable or remanufactured products if the commissioner determines
 32 that such preference would promote recycling or remanufacturing. As
 33 used in this subsection, "recyclable" means able to be collected,
 34 separated or otherwise recovered from the solid waste stream for
 35 reuse, or for use in the manufacture or assembly of another package or
 36 product, by means of a recycling program which is reasonably
 37 available to at least seventy-five per cent of the state's population,
 38 "remanufactured" means restored to its original function and thereby
 39 diverted from the solid waste stream by retaining the bulk of
 40 components that have been used at least once and by replacing
 41 consumable components and "remanufacturing" means any process by
 42 which a product is remanufactured; (B) the purchase of motor vehicles
 43 powered by a clean alternative fuel; or (C) the purchase of motor
 44 vehicles powered by fuel other than a clean alternative fuel and
 45 conversion equipment to convert such motor vehicles allowing the
 46 vehicles to be powered by either the exclusive use of clean alternative
 47 fuel or dual use of a clean alternative fuel and a fuel other than a clean
 48 alternative fuel. As used in this subsection, "clean alternative fuel" shall
 49 mean natural gas, [or] electricity when used as a motor vehicle fuel or
 50 a motor vehicle fuel blend of eighty-five per cent ethanol and fifteen
 51 per cent gasoline. All other factors being equal, preference shall be
 52 given to supplies, materials and equipment produced, assembled or

53 manufactured in the state and services originating and provided in the
 54 state. If any such bidder refuses to accept, within ten days, a contract
 55 awarded to such bidder, such contract may be awarded to the next
 56 lowest responsible qualified bidder or the next highest scoring bidder
 57 in a multiple criteria bid, whichever is applicable, and so on until such
 58 contract is awarded and accepted. If any such proposer refuses to
 59 accept, within ten days, a contract awarded to such proposer, such
 60 contract shall be awarded to the next most advantageous proposer,
 61 and so on until the contract is awarded and accepted. There shall be a
 62 written evaluation made of each bid. This evaluation shall identify the
 63 vendors and their respective costs and prices, document the reason
 64 why any vendor is deemed to be nonresponsive and recommend a
 65 vendor for award. A contract valued at one million dollars or more
 66 shall be awarded to a bidder other than the lowest responsible
 67 qualified bidder or the highest scoring bidder in a multiple criteria bid,
 68 whichever is applicable, only with written approval signed by the
 69 Commissioner of Administrative Services and by the Comptroller. The
 70 commissioner shall submit to the joint standing committee of the
 71 General Assembly having cognizance of matters relating to
 72 government administration, the State Auditors and the Comptroller,
 73 an annual report of all awards made pursuant to the provisions of this
 74 section.

75 Sec. 2. Subsection (c) of section 12-217i of the general statutes is
 76 repealed and the following is substituted in lieu thereof (*Effective July*
 77 *1, 2006*):

78 (c) If the amount of any credit provided in this section exceeds the
 79 amount of tax otherwise payable in the income year or calendar
 80 quarter, as the case may be, in which such expenditure was paid or
 81 incurred, the balance of any such credit remaining may be taken in any
 82 of the three succeeding income years or twelve succeeding calendar
 83 quarters, respectively. Any taxpayer allowed such a tax credit against
 84 the tax imposed under this chapter, chapter 209, 210, 211 or 212 shall
 85 not be allowed such credit under more than one of said chapters. As
 86 used in this section "clean alternative fuel" [shall mean] means

87 compressed natural gas, liquefied petroleum gas, liquefied natural gas,
88 [or] electricity when used as a motor vehicle fuel or a motor vehicle
89 fuel blend of eighty-five per cent ethanol and fifteen per cent gasoline
90 and "incremental cost" shall mean the difference between the purchase
91 price of a vehicle which is exclusively powered by a clean alternative
92 fuel and the manufacturer's suggested retail price of a comparably
93 equipped vehicle which is not so powered.

94 Sec. 3. Subdivision (67) of section 12-412 of the 2006 supplement to
95 the general statutes is repealed and the following is substituted in lieu
96 thereof (*Effective July 1, 2006*):

97 (67) Sales of and the storage, use or other consumption, prior to July
98 1, 2008, of a new motor vehicle which is exclusively powered by a
99 clean alternative fuel. As used in this subdivision and subdivisions (68)
100 and (69) of this section, "clean alternative fuel" shall mean natural gas,
101 hydrogen, propane, [or] electricity when used as a motor vehicle fuel
102 [or propane when used as a motor vehicle fuel] or a motor fuel blend
103 of eighty-five per cent ethanol and fifteen per cent gasoline if such a
104 vehicle meets the federal fleet emissions standards under the federal
105 Clean Air Act or any emissions standards adopted by the
106 Commissioner of Environmental Protection as part of the state's
107 implementation plan under said act.

108 Sec. 4. Section 12-458f of the general statutes is repealed and the
109 following is substituted in lieu thereof (*Effective July 1, 2006*):

110 On and after July 1, 1994, and until July 1, 2008, compressed natural
111 gas, liquefied petroleum gas, [and] liquefied natural gas or a motor
112 fuel blend of eighty-five per cent ethanol and fifteen per cent gasoline
113 shall not be subject to the tax imposed under section 12-458.

114 Sec. 5. Subsection (a) of section 32-23z of the general statutes is
115 repealed and the following is substituted in lieu thereof (*Effective July*
116 *1, 2006*):

117 (a) A Business Environmental Clean-Up Revolving Loan Fund is

118 created. The state, acting through the Connecticut Development
 119 Authority, may provide loans or lines of credit from the Business
 120 Environmental Clean-Up Revolving Loan Fund (1) to businesses for
 121 the purposes of the containment and removal or mitigation of the
 122 discharge, spillage, uncontrolled loss, seepage or filtration of oil or
 123 petroleum or chemical liquids or solid, liquid or gaseous products or
 124 hazardous wastes, and (2) to businesses which convert gas and diesel-
 125 powered motor vehicles to vehicles powered by either gas or diesel
 126 fuel and a clean-burning alternative fuel, including but not limited to,
 127 compressed natural gas, [or] electricity or a motor fuel blend of eighty-
 128 five per cent ethanol and fifteen per cent gasoline. Loans or lines of
 129 credit under subdivision (2) of this subsection shall be for working or
 130 development capital. For the purposes of this section, "business" means
 131 any business which (A) if applying for assistance under subdivision (1)
 132 of this subsection, has been in business for at least one year prior to the
 133 date of application for its loan or line of credit or, if applying for
 134 assistance under subdivision (2) of this subsection, has been in
 135 business for at least two years prior to such application date, (B) has
 136 gross revenues, including revenues of affiliates, less than three million
 137 dollars in the most recent fiscal year before the date of the application
 138 or has less than one hundred fifty employees and, if applying for
 139 assistance under subdivision (2) of this subsection, derived at least
 140 seventy-five per cent of its gross revenues in such year from motor
 141 vehicle fuel conversion activities, (C) if applying for assistance under
 142 subdivision (1) of this subsection, has been doing business and has
 143 maintained its principal office and place of business in the state for a
 144 period of at least one year prior to the date of its application for
 145 assistance under this section or, if applying for assistance under
 146 subdivision (2) of this subsection, has been doing business and has
 147 maintained such office and business in the state for a period of at least
 148 two years prior to such application date, and (D) demonstrates, to the
 149 satisfaction of the authority and in its sole discretion, that it is unable
 150 to obtain financing from conventional sources on reasonable terms or
 151 in reasonable amounts. The Connecticut Development Authority shall
 152 charge and collect interest on each such loan or line of credit at a rate

153 to be determined in accordance with regulations adopted pursuant to
154 subsection (b) of this section. The total amount of such loans or lines of
155 credit provided to any single business in any period of twelve
156 consecutive months shall not exceed two hundred thousand dollars.
157 Payments made by businesses on all loans and lines of credit paid to
158 the Treasurer for deposit in the Business Environmental Clean-Up
159 Revolving Loan Fund shall be credited to such fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	4a-59(c)
Sec. 2	<i>July 1, 2006</i>	12-217i(c)
Sec. 3	<i>July 1, 2006</i>	12-412(67)
Sec. 4	<i>July 1, 2006</i>	12-458f
Sec. 5	<i>July 1, 2006</i>	32-23z(a)

Section 1	<i>July 1, 2006</i>	4a-59(c)
Sec. 2	<i>July 1, 2006</i>	12-217i(c)
Sec. 3	<i>July 1, 2006</i>	12-412(67)
Sec. 4	<i>July 1, 2006</i>	12-458f
Sec. 5	<i>July 1, 2006</i>	32-23z(a)

ET *Joint Favorable*

FIN *Joint Favorable*